

Dr. R. B. Seligman

October 11, 1965

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Method of Making a Filler Tobacco of Increased Bulk and Product
Thereof - Helf. #582-252, P.M. #135, L. H. Davis, et al

The file which accompanies this memorandum will show the reason that the Herty shredded stem process, which is very similar to U. S. patent #3,204,641 issued to Reynolds Tobacco Company, was not patented.

To summarize the situation, an application was filed on the process in 1956 in the names of Davis, Spruell, and Stevens. We received a final rejection on it and because it did not seem that the process would be used, we abandoned the application after it had been discussed with Loyall Davis and a number of people here at the Research Center. Of course, hindsight shows us that we should have tried for narrow claims or appealed the case. If we had obtained the patent, we would have blocked Reynolds from obtaining one and possibly would have been in a better defensive position.

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Enclosure

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